

**MINUTES**  
**REGULAR WORKSESSION**  
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA  
YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
**December 15, 2009**  
**5:00 p.m.**

**CALL TO ORDER**

**Mayor Nelson** called the City Council meeting to order.

Councilmembers Present: Shoop, Mendoza, Beeson, McClendon, Nicholls, and Mayor Nelson  
Councilmembers Absent: Johnson  
Staffmembers Present: City Administrator, Mark Watson  
Deputy City Administrator, Bob Stull  
Director of Community Development, Laurie Lineberry  
City Attorney, Steve W. Moore  
Various department heads or their representatives  
City Clerk, Brigitta M. Kuiper

**I. SUMMARY OF CURRENT EVENTS**

**Watson** noted there are modifications taking place on the 3<sup>rd</sup> floor of City Hall in anticipation of the relocation of the City Clerk's Office. The Communications Department will be relocated to the 1<sup>st</sup> floor.

**II. REGULAR CITY COUNCIL MEETING AGENDA OF DECEMBER 16, 2009**

**Nicholls** recused himself from all Major Roadways Plan actions, due to pending business contracts.

**Motion Consent Agenda Items B7 through B11: 2005 Major Roadways Plan modifications**

**Lineberry** briefed City Council on the compilation of work that has been done over the past year. The work is a reflection of the actions that will be on tomorrow's agenda for consideration; items that have not been resolved will not be included. This action will provide a head start to the committee that will address the Major Roadways Plan and Transportation Element of the General Plan.

**III. LOCAL PREFERENCE IN AWARDING PUBLIC BIDS**

**Moore** gave an overview of the research that has been done regarding local preference. He suggested three alternatives:

1. Change the Yuma City Code to lower the threshold of local preference from \$50,000 to \$2,500
  - The introduction of this ordinance is on the December 16, 2010 agenda for City Council's consideration.
2. Meet with the Attorney General to withdraw Ordinance O2090, which restricts the current Charter provision
  - To allow more flexibility

- Meeting was scheduled, but cancelled by the Attorney General – City will reschedule
- 3. Change existing Yuma City Charter
  - Committee formed will make recommendations to City Council

**Moore** stated that he contacted the City Attorneys in Flagstaff and Sedona regarding local preference.

- Flagstaff
  - Likes meaningful local participation, but does not give local preference for having an office in city limits
  - Study being conducted to enact the most legally acceptable form of local preference
  - Used criteria in a design service contract [October 2009] stating the bidder should address how they maintain accessibility to city staff, construction crews and their knowledge of local conditions practices and codes, in specifying their experience working within the City
- Sedona
  - Not aware local preference is being used
  - Uses minor criteria in bid selection process of “local familiarity with topographic conditions”.

**Moore** stated both cities have received complaints similar to what the City of Yuma is receiving regarding local preference practices.

Furthermore, **Moore** cited a letter from prior City Attorney, Maureen George, to the Attorney General’s Office regarding local preference. The letter stated, if upon review of Ordinance O2090 the Attorney General’s legal objections to the proposed Charter amendment are resolved, the Attorney General would then advise the Governor that it is their opinion that the proposed Charter amendment be approved.

**Nicholls** inquired on the timeframe of the report being completed by City of Flagstaff and if there would be any benefits to the City of Yuma? **Moore:** Any study will be a benefit. It may not parallel the City’s situation, but will add information so the City can make a more informed decision. Flagstaff indicated that the study, commissioned by the Rural Policy Institute to determine the possible effects of a bid preference ordinance, has not yet been completed. **Nicholls:** Will staff follow up with Flagstaff on this report and also the City of Tucson? **Moore:** Yes, staff will continue to research these areas. **Nicholls** announced he will continue working with the committee, even after his City Council term is expired. The committee is meeting with the Southwest Contractors Association and would also like public input.

## **I. SUMMARY OF CURRENT EVENTS**

**Watson** stated that City Lobbyist, Ron Hamm, notified him that the 2010 Ombudsman Appropriation Conference Agreement has been completed and the Federal Courthouse in Yuma will be moving forward; this will be funded by monies previously appropriated. This is a \$25 million project to be conducted by private bid/private ownership that is part of the Riverfront Plan. **Mayor Krieger:** noted that this project equates to a \$25 million taxable structure being developed in the City of Yuma.

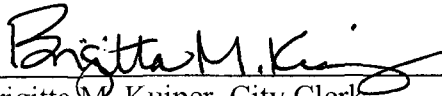
**IV. CITY OF YUMA BOARDS, COMMISSIONS AND COMMITTEES**

**Mayor Nelson** noted there will be vacancies filled at the December 16, 2009, Regular City Council meeting.

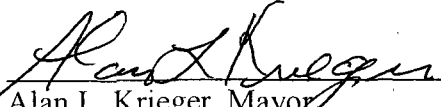
**V. ADDITIONAL ITEMS FOR POSSIBLE DISCUSSION - None**

**VI. ADJOURNMENT/EXECUTIVE SESSION**

**Motion** (Beeson/Mendoza): To adjourn the meeting. Voice vote: **adopted** 6-0. The meeting adjourned at 5:19 p.m. No Executive Session was held.

  
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Brigitta M. Kuiper, City Clerk

APPROVED:

  
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Alan L. Krieger, Mayor

